

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AARON M. GARDNER,
Plaintiff,

v.

ANDREW SAUL¹,
COMMISSIONER OF THE
SOCIAL SECURITY ADMINISTRATION,
Defendant.

CIVIL ACTION

NO. 18-3296

ORDER

AND NOW, this 15th day of January, 2020, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review (ECF no. 11) filed March 18, 2019; Defendant's Response to Request for Review of Plaintiff (ECF No. 16) filed May 16, 2019; and Plaintiff's Brief in Reply to Defendant's Brief in Response to Plaintiff's Request for Review (ECF No. 19) filed June 3, 2019; and after review of the Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated November 27, 2019, **IT IS ORDERED** that:

1. the Report and Recommendation is **APPROVED** and **ADOPTED**;
2. the relief sought by Plaintiff is **GRANTED** in part as described below; and
3. the case is **REMANDED** to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g), and in accordance with the Report and Recommendation.

BY THE COURT:

s/ J. Curtis Joyner

J. CURTIS JOYNER, J.

¹ Andrew M. Saul became the Commissioner of Social Security in June 2019. Pursuant to Fed. R. Civ. P. 25(d), he is automatically substituted as a party in place of Nancy A. Berryhill, who was Acting Commissioner from January 23, 2017 through June of 2019.